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Attorneys for Minor Plaintiffs' J.L. and B.L., by and through their Guardian Ad Litem, RACHEL PEREZ

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

ANTONIO LOPEZ, individually; JOHANNA LOPEZ, individually; M.R., by and through his guardian ad litem, April Rodriguez, individually and as successor in interest to Brandon Lopez; B.L. and J.L., by and through their guardian ad litem Rachel Perez, individually and as successors in interest to Brandon Lopez; S.L., by and through his guardian ad litem, Rocio Flores, individually and as successor in interest to Brandon Lopez,

Plaintiffs,

vs.

CITY OF ANAHEIM, a municipal corporation;
CITY OF SANTA ANA; DAVID VALENTIN;
JORGE CISNEROS; PAUL DELGADO;
BRETT HEITMAN; KENNETH WEBER;
CAITLIN PANOV; and DOES 1-10, inclusive,

Defendants.

Case No.: 8:22-cv-01351-JVS-ADS

*Honorable Judge
James V. Selna*

**DECLARATION OF KENT M.
HENDERSON. IN SUPPORT OF
PLAINTIFFS J.L. AND B.L.'S
PETITION TO APPROVE
MINORS' COMPROMISES**

TO THE CLERK OF THE COURT, THE HONORABLE JAMES V.

SELNA, ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD

HEREIN: PLEASE TAKE NOTICE:

1 That Plaintiffs J.L and B.L., minors, by and through their Guardian ad
2 Litem, "RACHEL PEREZ", hereby submits the Declaration of Kent M.
3
4 Henderson in support of Plaintiffs J.L. and B.L.'s Petition to Approve Minors
5 Compromises.

6 **DECLARATION OF KENT M. HENDERSON**
7

8 I, KENT M. HENDERSON, do hereby declare and state as follows:

9 1. I am an attorney at law, duly licensed to practice before all courts of
10 the State of California and the following Federal Courts: Supreme Court of the
11 United States; United States Court of Appeals for the Ninth Circuit; United States
12 Court of Appeals for the Fifth Circuit; United States Court of Federal Claims;
13 United States District Court for the Northern, Eastern, Central and Southern
14 Districts of California and the Eastern District of Texas. I am Of Counsel with
15 CARRAZCO LAW A.P.C. (hereinafter, sometimes referred to as "Carrazco
16 Law"), counsel of record for the Plaintiffs' J.L. and B.L. in the above-entitled
17 action. The facts stated in this declaration are of my own personal knowledge
18 and/or I am informed and believe they are true and if called upon to testify as a
19 witness, I could and would competently testify thereto under oath.
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23

24 2. This case was prosecuted by a team of lawyers and three different
25 law firms that specialize in Civil Rights, unreasonable use of force cases. After
26 our office was substituted in to represent Plaintiffs' J.L. and B.L., our law firm
27 collaborated with the other Plaintiffs' law firms involved in the case.
28

1 3. This case was prosecuted by Plaintiffs' attorneys who have extensive
2 experience in prosecuting Civil Rights cases. In general, Civil Rights / police use
3 of force cases, can be difficult, risky, expensive and time-consuming to get a
4 favorable result. Handling these cases is its own area of specialization. They are
5 often filed and/or removed to Federal Court with enhanced emphasis on strict
6 timelines, specialized rules regarding the size of the Jury, the time allowed to
7 present evidence and unique defenses. These are not non-complex, personal
8 injury cases that require ordinary attorney efforts.

9
10
11 4. 42 U.S.C. Section 1983 cases recognize that this type of case is
12 unique and requires additional compensation for counsel who will undertake
13 them. The companion statute, 42. U.S.C. Section 1988, provides for an award of
14 attorneys' fees to a prevailing Plaintiff and this includes a "lodestar" enhancement
15 of the attorney's hourly rate. While the current matter was settled, and
16 CARRAZCO LAW, A.P.C. is claiming only the 25% attorneys' fees for minors
17 J.L. and B.L., the law recognizes the difficulty and unique nature of these cases in
18 that it is rare for Congress to have allowed a Plaintiff to file in Federal Court
19 (Federal Court jurisdiction is narrow) and rare to allow an award of attorneys' fees
20 in civil litigation. The Civil Rights Act of 1871 (42 U.S.C. Section 1983), passed
21 in the era of post-Civil War reconstruction (notably by its main sponsor,
22 Republican Congressman Samuel Shellabarger), provided this remedy of
23 attorneys' fees for the very reason that it was believed that attorneys would have
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1 to be encouraged by some reward to take on, file and prosecute these difficult
2 cases.

3
4 5. I make this declaration in support of Plaintiffs' counsel's
5 (CARRAZCO LAW A.P.C. ["CARRAZCO LAW"] attorneys' fees for this
6 action. Plaintiffs' counsel is requesting, and the client has agreed to, a 25%
7 attorneys' fee from the gross settlement for each minor Plaintiff J.L. and B.L., the
8 retainer agreement in this matter allows for a 25% contingency fee. The Retainer
9 Agreement allows for the deduction / reimbursement to the attorneys for the
10 litigation costs (expert fees, deposition costs, etc.) expended / advanced by
11 Plaintiffs' J.L. and B.L.'s attorneys.
12
13

14 6. This was an intricate Civil Rights / Deputy involved shooting death
15 case. Before getting into the particulars of the time and effort spent it is worth
16 noting a few things. First, the counsel for all of the Plaintiffs and Defendants in
17 this case were and are, skilled, experienced and able trial counsel and they
18 advanced the positions on behalf of their clients with great preparation and, at the
19 same time, utmost professionalism. Second, the result that was achieved on
20 behalf of the Plaintiffs is a good result, not only for the dollar value on this type of
21 case in this venue with potential defense issues but also because it took into
22 consideration the Plaintiffs' overall interests to achieve an outcome that is the best
23 for the minor Plaintiffs all the way around (which includes the ability to achieve a
24 secured stream of benefits payments for each minor Plaintiff J.L. and B.L. through
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1 a structured settlement annuity that could not be achieved by trial verdict or
2 judgment).

3
4 7. In this Civil Rights / use of deadly force case, we were able to obtain
5 \$5,800,000.00 of gross settlement as to settling Plaintiffs. The three Plaintiffs'
6 Law firms were also able to negotiate that twenty-five percent (25%)
7 (\$1,450,000.00 each minor) of the settlement be allocated evenly to all four
8 settling plaintiffs. The clients we represent, the surviving children, Plaintiffs J.L.
9 and B.L., will each receive \$1,450,000.00 gross settlement and the other two
10 plaintiffs S.L. by and through his Guardian ad Litem Rosie Flores, and Marcos
11 Rodriguez will also receive twenty five percent (25 %) (\$1,450,000.00) of the
12 settlement.
13
14

15
16 8. Decedent BRANDON LOPEZ was a self-employed worker and
17 contributing the household / raising both his children J.L. and B.L. at the time of
18 his death. The details of the settlement and the structured settlement annuity,
19 including some payments to the Guardian, Rachel Perez, to take care of her
20 children, J.L. and B.L., until age of majority, are more fully set forth in the
21 Minors' Compromise Petition which is filed concurrently herewith.
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23

24 9. This Declaration details some of the work performed in support of
25 the attorneys' fees of 25% of the gross being charged to Plaintiff's J.L. and B.L.,
26 as provided in the retainer agreement. The total attorneys' fees being charged to
27 Plaintiff J.L. and B.L. are in the amount of \$362,500.00 each (25% of the
28

1 \$1,450,000.00 settlement of each Plaintiff) **\$725,000.00** total. Additionally, there
2 were reimbursable pro-rata litigation costs that were paid / advanced by Plaintiffs'
3 J.L. and B. L's attorneys and former attorneys and are deducted from the
4 settlement as allowed by the Retainer Agreement. The amount of the total costs
5 are set forth in the Ex Parte Application and Petition for Approval of Minors'
6 Compromises filed concurrently herewith and Plaintiffs J.L. and B.L. are
7 reimbursing their pro rata share of these litigation costs out of their settlement.
8

9
10 10. Plaintiffs J.L. and B.L. retained, LAW OFFICES OF DALE K.
11 GALIPO and later substituted CARRAZCO LAW A.P.C., to prosecute this matter
12 following the death of Decedent, BRANDON LOPEZ (sometimes hereinafter
13 referred to as "Brandon", "Lopez", "Decedent" and/or "Plaintiffs' Decedent").
14 Plaintiff J.L. was born on December 1, 2010, and he was 10 years old when his
15 father, BRANDON LOPEZ, died and he is 13 years old now. Plaintiff B.L. was
16 born on March 4, 2009, and she was 12 years old when her father, Brandon
17 Lopez, died and she is now 15 years old. Decedent Brandon Lopez was 32 years
18 old when he was fatally shot to death by multiple Officers at the scene, on
19 September 28, 2021, in Santa Ana, California. Brandon Lopez was born on
20 December 2, 1987, in Orange, California. Decedent BRANDON LOPEZ was
21 self-employed at the time of his death.
22

23
24 11. The brief facts of the case are that on September 28, 2021, Decedent
25 BRANDON LOPEZ was shot to death by CITY OF ANAHEIM Police Officers
26

1 PAUL DELGADO, BRETT HEITMAN, KENNETH WEBER, AND CATLIN
2 PANOV (hereinafter "APD OFFICERS"). The Decedent was being pursued by
3 officers of the City of Anaheim. The Decedent drove into the city of Santa Ana,
4 where his vehicle became stuck in a light rail construction zone near the
5 intersection of Santa Ana Boulevard and Bristol Street. The Santa Ana Police
6 Department took over the scene, establishing a perimeter, and surrounding
7 Decedent's vehicle with patrol cars and SWAT vehicles. Shortly after the CITY
8 OF ANAHEIM SWAT team arrived, the SWAT officers, including DELGADO,
9 HEITMAN, WEBER, and PANOV, deployed a flash grenade into DECEDANT'S
10 vehicle. After the flash grenade was deployed, Decedent exited his vehicle.
11 Immediately after Decedent exited his vehicle, The SWAT officers including
12 DELGADO, HEITMAN, WEBER, and PANOV shot Decedent multiple times,
13 killing him at the scene.
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18 12. Minor Plaintiffs J.L. and B.L. have appeared in the action by and
19 through their natural mother, and appointed Guardian ad Litem, RACHEL
20 PEREZ.
21

22 13. In agreeing to take on this matter, Plaintiff's counsel agreed to take
23 the risk on a contingency basis on a Civil Rights case that had a number of
24 potential adverse issues. The case required an analysis of the physical evidence
25 compared to the testimony of Defendants and other evidence including a civilian
26 eyewitness. The California Department of Justice's Office conducted an
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28

1 investigation of the shooting and did not file criminal charges.

2 14. CARRAZCO LAW, A.P.C. substituted in as counsel for minor
3
4 Plaintiffs J.L. and B.L. on September 14, 2023.

5 15. After being substituted in as counsel for minor Plaintiffs J.L. and
6
7 B.L., Mr. Carrazco and I reviewed Defendant City of Anaheim's Initial
8 Disclosures, Plaintiffs' Initial Disclosures and Defendants City of Santa Ana and
9 David Valentin's Initial Disclosures which had all been served on October 10,
10 2022.

11
12 16. I reviewed the Government Claims of J.L. and B.L. presented to City
13 of Anaheim (December 16, 2021) and to City of Santa Ana (March 18, 2022)

14
15 17. I reviewed the second Amended Complaint filed June 28, 2023. I
16 reviewed the Application for Appointment of Guardian ad Litem of Rachel Perez
17 for Minor Plaintiffs J.L. and B.L. filed July 21, 2022, and Declaration of Rachel
18 Perez for Minor Plaintiffs J.L. and B.L. as Successors in Interest to Brandon
19 Lopez.
20

21 18. I reviewed the Answer(s) to Complaint(s) filed by Defendants City of
22 Anaheim and the individual Anaheim Police Officer Defendants.

23
24 19. I reviewed the public records requests and responses. I reviewed the
25 YouTube Anaheim Police Department Critical Incident Community Briefing
26 Video (21-142831) regarding the September 28, 2021, shooting of Decedent
27 Brandon Lopez which includes helicopter and body camera videos.
28

1 20. I reviewed Plaintiff B.L.'s First Set of Request for Production of
2 Documents to Defendant City of Santa Ana and Plaintiff M.R.'s First Set of
3 Request for Production of Documents to Defendant City of Anaheim which had
4 been served on November 15, 2022.
5

6 21. I reviewed the responses of Defendants City of Anaheim and City of
7 Santa Ana to Plaintiffs' Requests for Production of Documents, including reports,
8 records, radio traffic logs, audio, body worn videos, scene photos, autopsy photos,
9 privilege logs and other documents a records produced.
10

11 22. I reviewed the various motions to stay the action pending the
12 completion of the California Department of Justice Review and the Plaintiffs'
13 Joint Oppositions(s) thereto.
14

15 23. I kept apprised of the docket including the substitution of attorneys
16 for Defendant City of Anaheim and the Anaheim Police Officer Defendants
17 (October and November, 2023), the Status Reports (November, 2023), the request
18 to lift the Stay ((December, 2023), Continuance of Case Management Deadlines
19 and opposition thereto. I helped prepare the Oppositions filed by our office on
20 December 29, 2023. I reviewed the Reply and the Court's Ruling.
21
22

23 24. Mr. Carrasco participated in the finalization of the Settlement. Our
24 office agreed to the Notice of Settlement as to Plaintiffs M.R., B.L., J.L. and S.L.
25 which was filed February 9, 2024 [Doc. 112].
26
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1 25. Plaintiffs and Defendants have agreed to settle the case of the
2 settling Plaintiff which includes minors J.L. and B.L. referenced herein. The
3 settlement has been approved by the appropriate governmental body. The
4 settlement obligates Defendants to pay to the four (4) settling Plaintiffs and their
5 attorneys of record a total global settlement sum of \$5,800,000.00 (\$1,450,000.00
6 each), with the settlement proceeds being shared 25% for each Plaintiff J.L., B.L.,
7 S.L., and Marcus Rodriguez.
8

9 26. The minor Plaintiffs represented by Carrazco Law, A.P.C. are: 1.
10 J.L. (current Age: 13 years old; Date of Birth [12-1-2010]), Guardian Ad
11 Litem: Rachel Perez (mother); and 2. B.L. (current Age: 15 years old; Date of
12 Birth [03-04-2009]), Guardian Ad Litem: Maria Rosas (mother).
13

14 27. The overall total settlement regarding minors J.L. and B.L. is that
15 Defendants will pay \$2,900,000.00 gross total settlement to minor Plaintiffs J.L.
16 and B.L. and their respective counsel, and in exchange for said settlement
17 payment, Plaintiffs J.L. and B.L. will dismiss their claims in the current action.
18

19 28. The overall \$2,900,000.00 gross settlement as to minor Plaintiffs J.L.
20 and B.L. will be distributed as follows: 1. **Minor Plaintiff J.L.** Total Gross
21 Settlement: \$1,450,000.00 -- (25% of the overall gross settlement of all settling
22 Plaintiffs). Attorneys' fees \$362,500.00 (25%). Litigation (including expert)
23 costs: \$3,859.62 (Pro-rata 25% of total costs). Net to Minor J.L. (to fund
24 structure/annuity): \$1,083,640.38. [1,450,000.00 - 362,500.00 - 3,859.62 =
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1 \$1,083,640.38]; and 2. **Minor Plaintiff B.L.** Total Gross
2 Settlement: \$1,450,000.00 -- (25% of the overall gross settlement of all settling
3 Plaintiffs). Attorneys' fees \$362,500.00 (25%). Litigation (including expert)
4 costs: \$3,859.62 (Pro-rata 25% of total costs). Net to Minor B.L. (to fund
5 structure/annuity): \$1,083,640.38. [1,450,000.00 - 362,500.00 - 3,859.62 =
6 \$1,083,640.38].
7
8

9 29. The Net Proceeds of the Settlements (after attorneys' fees and costs)
10 will be distributed as follows:
11

12 1. As to **Minor Plaintiff J.L.**, the net \$1,083,640.38 will be payable to
13 "Prudential Assigned Settlement Service Corporation" to fund a structured
14 settlement annuity with a payout schedule as follows:
15

16 **Payable to Rachel Perez guardian ad litem For the Benefit of J.L.**

17 **Monthly Income**

18 Commencing on (07/15/2024)

19 \$ 2,000.00 payable monthly for 4 years and 5 months. Last Guaranteed
20 payment on 11/15/2028

21 **Payable to J.L.**

22 Commencing at 18 (12/01/2028)

23 \$4,953.42 payable monthly for life, guaranteed for 25 years & Life.

24 The expected payout of this structured settlement annuity is \$1,592,026.00.
25 The structured settlement annuity for J.L. is with Prudential Insurance Company
26 of America which is rated A+ XV A.M. Best's Credit Ratings.
27
28

2. As to **Minor Plaintiff B.L.**, the net \$1,083,640.38 will be payable to “Prudential Assigned Settlement Service Corporation” to fund a structured settlement annuity with a payout schedule as follows:

Payable to Rachel Perez guardian ad litem For the Benefit of B.L.
Monthly Income

Commencing on (07/15/2024)
\$ 2,000.00 payable monthly for 2 years and 8 months. Last Guaranteed payment on 02/15/2027

Payable to B.L.

Commencing at 18 (03/04/2027)
\$4,626.18 payable monthly for life, guaranteed for 25 years & Life.
The expected payout of this structured settlement annuity is \$1,451,854.00. The structured settlement annuity for B.L. is with Prudential Insurance Company of America which is rated A+ XV A.M. Best’s Credit Ratings.

30. Carrazco Law, A.P.C. expended and advanced \$7,719.24 in total costs in this case (comprised of \$3,859.62 (each minor) [including costs of previous counsel] in litigation costs [filing fees, deposition transcript costs, copies of records, etc.]

31. Minor Plaintiffs J.L. and B.L. are requesting an order directing disbursements to be made from the settlement proceeds as follows:

Check No./ Payable to	Amount
1.	
\$1,083,640.38 Prudential Assigned Settlement Service Corporation (Annuity Draft/Annuity Company) [for J.L. settlement]	

1 2.

2 \$1,083,640.38

3 Prudential Assigned Settlement Service Corporation

4 (Annuity Draft/Annuity Company)

5 [for B.L. settlement]

6 3. Carrazco Law A.P.C.

\$732,719.24

7 (Attorneys' fees and reimbursed litigation costs for both minor
8 Plaintiffs J.L. and B.L.)

9
10 TOTAL:

\$2,900,000.00

11 32. Plaintiffs J.L. and B.L.'s damages in this case arise from (1) their
12 individual loss of their father's comfort, care, companionship, training, support,
13 and guidance and (2) the conscious pain and suffering of Decedent under Federal
14 Law.

15
16 33. The total gross amount of J.L. and B.L.'s portion of the
17 \$5,800,000.00 global settlement of all settling Plaintiffs is \$1,450,000.00 (25%
18 each). Minor Plaintiff J.L. is receiving: \$1,450,000.00 gross settlement (25% of
19 total global settlement). Minor Plaintiff B.L. is receiving \$1,450,000.00 gross
20 settlement (25% of total global settlement).

21
22 34. The net proceeds for J.L are \$1,083,640.38. \$362,500.00 were
23 deducted for attorneys' fees (25%) and \$3,859.62 was deducted for costs (25%
24 proportional share of overall costs). [$\$1,450,000.00 - \$362,500.00 - \$3,859.62 =$
25 \$1,083,640.38].
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1 35. The proceeds for B.L. are \$1,083,640.38. \$362,500.00 were
2 deducted for attorneys' fees (25%) and \$3,859.62 was deducted for costs (25%
3 proportional share of overall costs). [$\$1,450,000.00 - \$362,500.00 - \$3,859.62 =$
4 $\$1,083,640.38$].
5

6 36. The net proceeds for J.L. of \$1,083,640.38 will be used to fund a
7 structured settlement/annuity to be distributed over time that will have two
8 aspects. There will be monthly income commencing on July 15, 2024 of
9 \$2,000.00 monthly payable to Rachel Perez guardian ad litem For the Benefit of
10 J.L. (full name to be used in Order) for four years and five months. Once J.L.
11 reaches the age of 18 there will be a new monthly income rate of \$4,953.42 paid
12 to J.L. for 25 years or life guaranteed with the expected payout of this structured
13 settlement annuity is \$1,592,026.00.
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17 37. The net proceeds for B.L. of \$1,083,640.38 will be used to fund a
18 structured settlement/annuity to be distributed over time that will have two
19 aspects. There will be monthly income commencing on July 15, 2024, of
20 \$2,000.00 monthly payable to Rachel Perez guardian ad litem For the Benefit of
21 B.L. (full name to be used in Order) for two years and eight months. Once B.L.
22 reaches the age of 18 there will be a new monthly income rate of \$4,626.18
23 annually paid to B.L. for 25 years or life guaranteed with the expected payout of
24 this structured settlement annuity is \$1,451,854.00.
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28 38. The Petition for Minors Compromise filed does not seek an order for
DECLARATION OF ATTORNEY KENT M. HENDERSON RE: MINORS' COMPROMISE

1 payment of money to a special needs trust for Minor Plaintiffs' J.L. and B.L.

2 39. The Petition for Minors' Compromise (filed concurrently herewith)
3
4 was prepared by Kent M. Henderson of CARRAZCO LAW A.P.C.

5 40. CARRAZCO LAW A.P.C., did not become concerned with this
6
7 matter at the instance of any party against whom the claim of said minor is
8 asserted.

9 41. CARRAZCO LAW A.P.C., represents Plaintiffs' J.L. and B.L., but
10
11 are not employed by any other party or any insurance carrier involved in the
12 matter.

13 42. CARRAZCO LAW A.P.C. has not to date received any
14
15 compensation for services in connection herewith from any person.

16 43. CARRAZCO LAW A.P.C., accepted this engagement for a
17
18 contingency fee, plus reimbursement for any costs advanced. The retainer
19 agreement provides for a 25 percent attorney fee recovery. The retainer
20 agreement also provides that the 25 percent retainer is in addition to any attorneys'
21 fees awarded under 42 U.S.C. Section 1988. Plaintiffs J.L. and B.L.'s counsel,
22 CARRAZCO LAW, A.P.C., is taking a 25% attorneys' fee in this matter.
23

24 44. CARRAZCO LAW is made up of practitioners with many years of
25
26 combined experience in the field of civil rights litigation. In the late 1980's and
27 early 1990's, I worked on numerous police misconduct and civil rights cases,
28 including cases of injuries suffered in the Orange County Jails. In the 1990's I

1 worked on the Rodney King Federal civil case, and I drafted the affirmative
2 Motion of Summary Judgement that was filed on behalf of the Plaintiff Rodney
3 Glenn King. At a point in time after filing the Motion, the City of Los Angeles
4 stipulated liability and I continued to work on the case working on the documents
5 for the case when it was tried in Federal Court.
6

7
8 45. Continuing to represent victims of law enforcement shooting and use
9 of force, I worked on cases against the County of Orange, City of Santa Ana, City
10 of Anaheim, City of Los Angeles, and the County of Los Angeles throughout the
11 1990's until present. I wrote the briefing for the Motion for Summary Judgment
12 Opposition and, later all the 9th Circuit Court of Appeals briefing for the
13 Plaintiff/Appellant in the case, *Drummond v. City of Anaheim*, 343 F.3d 1052 (9th
14 Cir. 2003). The *Drummond* opinion authored by Justices James R. Browning,
15 Harry Pregerson and Stephen Reinhardt, and relying in part on *Deorle v.*
16 *Rutherford*, 272 F.3d 1272 (9th Cir. 2001), emphasized that when law enforcement
17 agents are dealing with a person who appears to be emotionally disturbed or
18 mentally ill, this may be a factor to consider in relation to the need and/or level of
19 force to be used. This factor has been later incorporated into Ninth Circuit Pattern
20 Jury Instruction 9.25 "Unreasonable Use of Force" as an available factor for
21 consideration by the Jury in cases that involve an appropriate fact pattern (factor
22 No. 10). I was later co-trial counsel, and I tried the Drummond case in Federal
23 Court (including Opening Statement, Closing Argument and several of the expert
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witnesses). Other cases which were published in other areas include *Hernandez v. Paicius* 109 Cal.App.4th 452 (2003) and *Hernandez v. KWPH Enterprises*, 116 Cal.App.4th 170 (2004).

46. In cases where I have sought to have my hourly fee approved by the Federal Courts, there was evidence in some cases of being within the upper quartile of practitioners in this area and/or of having the fees requested approved based on experience, etc.

47. Among cases that I have worked on they include cases that gained international attention: the shooting of Ernesto Canepa in Santa Ana, California (which Mr. Carrazco also participated) and the shooting of Antonio Zambrano-Motes in Pasco, Washington [which Mr. Carrazco and I were admitted Pro Hac Vice to the U.S. District Court for the Eastern District of Washington].

48. Currently our firm has an active case list, with approximately 15 high profile use of force cases all involving serious injuries or death.

49. This case involved a substantial amount of risk, a great deal of work and was vigorously litigated by a hardworking team of attorneys from CARRAZCO LAW A.P.C., LAW OFFICES OF DALE K. GALIPO, and BURRIS, NISENBAUM, CURRY & LACY. Plaintiffs' counsel obtained outstanding results for their clients in this case. As a result of the attorneys' efforts, Plaintiffs' J.L. and B.L., will enjoy payments from structured settlement annuities spread throughout a period of time (rather than receiving all the funds at

1 age 18). As a result of the work of Plaintiffs' counsels, our clients' father's death
2 was the subject of an important civil rights settlement, which (it is hoped) will
3 deter future police misconduct of this kind. Put simply, the result in this case
4 served the public interest.
5

6 50. If Plaintiffs' counsel were not awarded a fully compensatory fee in
7 such cases, then this would discourage similarly situated attorneys from taking
8 these types of cases. Specifically, it would provide a disincentive for skilled
9 attorneys to take cases involving minor plaintiffs, which if anything require a
10 higher level of legal expertise and experience than cases involving adult plaintiffs.
11 In the absence of appropriate compensation of Plaintiffs' counsel, minor plaintiffs,
12 such as J.L. and B.L., would not be able to attract competent counsel in civil rights
13 cases who could achieve similar results. Accordingly, Plaintiff J.L. and B.L.'s
14 attorneys request the approval of the requested 25% contingency attorneys' fees
15 and reimbursement of the pro-rata litigation costs.
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20 I declare under penalty of perjury of the laws of the United States of
21 America that the foregoing is true and correct, and that this declaration was
22 executed this 3rd day of May, 2024 at Tustin, California.
23

24
25 /S/ Kent M. Henderson,
26 Declarant
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28